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11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**

13 ROBERT ELIASON, an individual and in  
14 his official capacity as Constable of North  
Las Vegas Township,

15 Plaintiff,

16 v.

17 CLARK COUNTY, a political subdivision of  
the State of Nevada; et al.,

18 Defendants.

**Case No.: 2:17-cv-03017-JAD-DJA**

**STIPULATION AND ORDER TO  
DISMISS PLAINTIFF'S SECOND  
AMENDED COMPLAINT**

ECF Nos. 98, 99, 100, 103

19 Plaintiff ROBERT ELIASON ("Plaintiff"), Defendant CLARK COUNTY ("County")  
20 and Defendant STATE OF NEVADA ex rel. NEVADA COMMISSION ON PEACE  
21 OFFICER STANDARDS & TRAINING ("POST Commission") (collectively, "the  
22 Parties"), hereby stipulate, pursuant to Federal Rule of Civil Procedure 41(a)(2), to dismiss  
23 Plaintiff's Second Amended Complaint [ECF No. 97] with prejudice, with each party to  
24 bear its own costs and fees.

25 The Parties further stipulate that POST Commission's pending Motion to Dismiss  
26 Amended Complaint [ECF No. 98], POST Commission's pending Renewed Motion for  
27 Summary Judgment [ECF No. 99], and County's Motion to Dismiss Amended Complaint

[ECF No. 100] (collectively "Pending Motions") will be considered moot after Plaintiff's Amended Complaint has been dismissed with prejudice, and no further consideration of the Pending Motions is required by this Court.

DATED this 28th day of April, 2021.

EVANS FEARS & SCHUTTERT LLP

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### **ORDER**

**IT IS SO ORDERED.** Plaintiff's Second Amended Complaint [ECF No. 97] is hereby dismissed with prejudice, with each party to bear its own costs and fees.

IT IS FURTHER ORDERED that all pending motions [ECF Nos. 98, 99, 100] **are DENIED** as moot, and the Clerk of Court is directed to **CLOSE THIS CASE**.

  
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U.S. District Judge Jennifer A. Dorsey  
Dated: May 3, 2021

Respectfully submitted by:

/s/ Jeffrey F. Barr  
Jeffrey F. Barr, Esq.